

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Anja SCHWOGLER et al.

Application No.: 10/564,013

Confirmation No.: 3742

Filed: January 9, 2007

Art Unit: 1624

For: 2-SUBSTITUTED PYRIMIDINES

Examiner: D. R. Rao

**REQUEST FOR REFUND**  
**(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

MS 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 02-2448 shown on the statement for the month of December 2007 for the above-identified

☒ application

☐ patent

☒ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

## II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND <u>REQUESTED</u>
<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> search fee	_____
<input type="checkbox"/> examination fee	_____
<input type="checkbox"/> surcharge for filing the basic filing on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input checked="" type="checkbox"/> excess claims	<u>210.00</u>
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____

- ☐ patent maintenance fee \_\_\_\_\_
- ☐ first maintenance fee \_\_\_\_\_
- ☐ second maintenance fee \_\_\_\_\_
- ☐ third maintenance fee \_\_\_\_\_
- ☐ patent maintenance fee surcharge \_\_\_\_\_
- ☐ Other: \_\_\_\_\_
- \_\_\_\_\_

TOTAL REFUND REQUESTED \_\_\_\_\_

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

There are only three (3) independent claims, not four and therefore, no additional fees for independent claims are due.

IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Dated: March 7, 2008

Respectfully submitted,

By  (s. 0040,069)

Andrew D. Meikle

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

Attachment(s)



United States  
Patent and  
Trademark Office



**Deposit Account Statement**

Requested Statement Month: December 2007  
Deposit Account Number: 022448  
Name: BIRCH STEWART KOLASCH & BIRCH  
Attention:  
Street Address 1: 8110 GATEHOUSE ROAD  
Street Address 2: SUITE 500 EAST  
City: FALLS CHURCH  
State: VA  
Zip: 22042  
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/03	1093	10252595	0717-0892P	1251	\$120.00	\$405,093.00
12/03	1	11976416	1921-0187PUS1	1202	\$1,000.00	\$404,093.00
12/03	2	11976416	1921-0187PUS1	1203	\$370.00	\$403,723.00
12/03	1	11579085	5000-0204PUS1	1815	\$50.00	\$403,673.00
12/03	1418	11938107	1560-0509PUS1	8021	\$40.00	\$403,633.00
12/03	1521	11911332	0033-1172PUS1	8021	\$40.00	\$403,593.00
12/03	1869	11913053	1248-0960PUS1	8021	\$40.00	\$403,553.00
12/03	1929	11911337	1254-0362PUS1	8021	\$40.00	\$403,513.00
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12/03	2365	77341374	5711-0102US1	7001	\$325.00	\$402,863.00
12/03	2369	11667494	2294-0131PUS1	8021	\$40.00	\$402,823.00
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12/07	145	11281404	4444-0283PUS1	1801	\$810.00	\$363,356.00
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12/07	10592	10524410	3830-0107PUS1	2501	\$720.00	\$361,586.00
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12/07	150	10438107	1190-0569P	1801	\$810.00	\$360,464.00
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12/07	10696	11043977	1403-0284PUS1	1504	\$300.00	\$358,592.00
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12/07	10721	11916837	0033-1184PUS1	1642	\$410.00	\$357,662.00
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12/07	10817	11012219	0365-0617PUS1	8001	\$12.00	\$353,820.00
12/07	10816	11012219	0365-0617PUS1	1504	\$300.00	\$353,520.00
12/07	10916	11319386	2019-0236PUS2	2501	\$720.00	\$352,800.00
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12/07	10919	11319386	2019-0236PUS2	8001	\$12.00	\$352,488.00
12/07	11198	11952283	0171-1079PUS2	1011	\$310.00	\$352,178.00
12/07	11199	11952283	0171-1079PUS2	1111	\$510.00	\$351,668.00
12/07	11200	11952283	0171-1079PUS2	1311	\$210.00	\$351,458.00
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12/07	206	11921662	1248-0971PUS1	1642	\$410.00	\$350,528.00
12/07	209	11921662	1248-0971PUS1	8021	\$40.00	\$350,488.00
12/07	208	11921662	1248-0971PUS1	1614	\$210.00	\$350,278.00
12/07	207	11921662	1248-0971PUS1	1615	\$50.00	\$350,228.00
12/07	210	11921659	4431-0114PUS1	1631	\$310.00	\$349,918.00
12/07	211	11921660	4005-0314PUS1	1631	\$310.00	\$349,608.00
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12/07	212	11921655	0445-0388PUS1	1631	\$310.00	\$348,268.00
12/07	11921	29271689	0465-1746PUS1	1502	\$820.00	\$347,448.00
12/07	11922	29271689	0465-1746PUS1	8001	\$12.00	\$347,436.00
12/07	12055	11085179	0965-0442PUS1	1251	\$120.00	\$347,316.00



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>INVENTION APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875	Application or Docket Number 10/564,013	Filing Date 01/09/2007	<input type="checkbox"/> To be Mailed
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PATENT APPLICATION FEE DETERMINATION RECORD  
Substitute for Form PTO-875

Application or Docket Number  
10/564.013

Filing Date  
01/09/2007

☐ To be Mailed

## APPLICATION AS FILED – PART I

(Column 1)

(Column 2)

SMALL ENTITY ☐

OR

OTHER THAN

SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
<input type="checkbox"/> SEARCH FEE (37 CFR 1.18(a), (f), or (m))	N/A	N/A
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(f))	minus 20 =	*
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*
<p>If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).</p>		
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))		
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(o))		

\* If the difference in column 1 is less than zero, enter "0" in column 2.

RATE (\$)		FEE (\$)		OR	RATE (\$)		FEE (\$)	
N/A					N/A			
N/A					N/A			
N/A					N/A			
X \$	=				X \$		=	
X \$	=			X \$		=		
TOTAL				TOTAL				

## APPLICATION AS AMENDED – PART II

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN

### SMALL ENTITY

AMENDMENT	11/30/2007	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(b))	= 14	Minus	= 20 = 0
	Independent (37 CFR 1.16(h))	= 4	Minus	= 3 = 1
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(a)) <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(g))			

SMALL ENTITY		OR	SMALL ENTITY	
RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
X \$ =		OR	X \$50=	0
X \$ =		OR	X \$210=	210
		OR		
TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	210

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.160)	*	Minus	**
Independent (37 CFR 1.160(i))	*	Minus	***	=

☐ Application Size Fee (37 CFR 1.16(e))

☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.160(i))

RATE (\$)	ADDITIONAL FEE (\$)	OR	RATE (\$)	ADDITIONAL FEE (\$)
X \$ =			X \$ =	
X \$ =			X \$ =	
TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20"

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 2, enter "2"

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit that the public wishes to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Legal Instrument Examiner:  
/WANDA MEREDITH/

Document code: WFEE

United States Patent and Trademark Office  
Sales Receipt for Accounting Date: 12/07/2007

WMEREDIT	SALE	#00000002	Mailroom Dt:	11/30/2007	022448	10564013
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